

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JEROME ROYSTER,

Petitioner,

v.

ANDRE IMBROGNO, *et al.*,

Respondents.

CASE NO. 2:16-CV-1174
JUDGE GEORGE C. SMITH
MAGISTRATE JUDGE KEMP

OPINION AND ORDER

On January 30, 2017, the Magistrate Judge issued a *Report and Recommendation* recommending that Petitioner's *Motion for Temporary Restraining Order* (ECF No. 2) be denied. (ECF No. 12). Petitioner has filed an *Objection* to the Magistrate Judge's *Report and Recommendation*. (ECF No. 13).

Petitioner objects to the Magistrate Judge's denial of his *Motion for Temporary Restraining Order*. Petitioner argues that the Magistrate improperly addressed his motion and should not have considered, in determining whether to grant the *Motion for Temporary Restraining Order*, Petitioner's likelihood of success.

Pursuant to 28 U.S.C. § 636(b), this Court has conducted a *de novo* review. For the reasons addressed in the Magistrate Judge's *Report and Recommendation*, this Court likewise concludes that that Petitioner has failed to establish that issuance of a temporary restraining order is appropriate. Petitioner's *Objection* (ECF No. 13) is **OVERRULED**. The *Report and Recommendation* (ECF No. 12) is **ADOPTED** and **AFFIRMED**.

The *Motion for Temporary Restraining Order* (ECF No. 2) is **DENIED**.

IT IS SO ORDERED.

s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT